IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE P.S.NARAYANA

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WRIT PETITION NO : 833 of 1997

Between:

Pedda Siddappa, S/o. Khasim Saheb,
R/o. Akkampalli (V) , P.A. Palli Mandal,
Nalgonda District.

..... PETITIONER

AND

1 The Commissioner of Land Revenue, Government of
A.P., Nampally Road, Abids, Hyderabad.
2 The Special Collector, S.R.S.P.S.L.B.C. & Pulichinthala

Project D.C.C.Tarnaka, Hyderabad.
3 Special Deputy Collector, Land Acquisition, S.L.B.C.
G.V.G.Gudem, Nalgonda Town, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue appropriate Writ, order or direction more in the nature of Writ of Mandamus, declaring the circular issued by the Commissioner of land Revenue, Hyderabad in his proceedings No. G1/1958/96 dated 24-12-96 as illegal, void and consequently direct the respondents pay the balance amount without deducting any amount under the guise of excess amount paid as interest on solatium.

Counsel for the Petitioner: MR.M.MADHAVA REDDY

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court made the following:

ORDER:

This writ petition has been filed seeking to issue appropriate writ, order or direction more in the nature of writ of Mandamus, to declare the circular issued by the Commissioner of land Revenue, Hyderabad in his proceedings No. G1/1958/96 dated 24-12-96 as illegal and void and consequently, direct the respondents to pay the balance amount without deducting any amount under the guise of excess amount paid as interest on solatium and pass such other suitable orders.

The learned Government Pleader for Land Acquisition would submit that in view of the changed position of Law, the petitioner is entitled to interest on additional market value and also solatium. He also placed reliance on *Nagpur Improvement Trust v. Vasantrao* to that effect.

In view of the same, the respondents are directed not to deduct any amount which had been paid already on 7-3-96 from the balance of compensation.

Accordingly, the writ petition is disposed of. No order as to costs.

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20-12-2004

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To

1 The Commissioner of Land Revenue , Government of A.P., Nampally Road, Abids, Hyderabad.
2 The Special Collector, S.R.S.P.S.L.B.C. & Pulichinthala

Project D.C.C.Tarnaka, Hyderabad.
3 Special Deputy Collector, Land Acquisition, S.L.B.C. G.V.G.Gudem, Nalgonda Town, Nalgonda District.

4 Two CCs to GP for Land Acquisition, High Court

buildings, Hyderabad (OUT)

5 Two CD copies.